

City Council Meeting Transcript – 11/7/2013

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>> Mayor Leffingwell: Good morning, everyone. I'm austin mayor lee leffingwell and today we will have our traditional memorial day, veterans day celebration, so please stand for the posting of the colors by the austin fire department honor guard and remain standing for the national anthem by our city's own air force veteran miss tina lee. Post the colors. >> Ten hut. [Music playing] [singing]

[02:33:37]

[applause] >> Mayor Leffingwell: Thank you, tina. Please remain standing for the invocation by the reverend and united states navy veteran ron bell from the hyde park church of christ. >> Would you pray with me. Heavenly father, we come before your throne and we're so grateful forgiving us our lives and for bringing us together in this great city. Father, we pray for our city council that you would bless them, give them wisdom, watch over their families and be with our mayor and watch over him, give him wisdom and leadership and bless his family as well. Father, on this special day as we think about our veterans, the service to our country and we think about the great country that you've given us and how blessed we are to be americans, thank you god for this nation and thank you god for the men and women who all through the years have served this country for our veterans who have gone before us and the veterans that are with us even today, many of them in this room. God, we're so thankful for the way you've watched over us and ask you will continue to do that for the rest of our lives and the lives of many generations ahead of us. In jesus' name we pray these things. Amen. >> Mayor Leffingwell: Thank you, pastor. Please be seated. The 11th hour of the 11th day of the 11th month, that was the moment at which world war ii came to an end in 1918. One of the most destructive periods in all history came to close in western europe and the armistice between germany and the allied nation.

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Some 20 million people died in the fighting that raged for more than four years since august 1914. The official end of the war came with the treaty of versailles in 1919 june. November 11th became a national holiday of remembrance in many of the victorious allied nations. It was a day to commemorate the loss of so many lives in the war. In the united states president wilson proclaimed the first armistice day on

november 11, 1919. A few years later in 1926 congress passed a resolution calling on the president to observe each november 11th as a day of remembrance. Today veterans day honors the duty, sacrifice and services of americans nearly 25 million veterans of all wars. We should remember and celebrate those men and women. But lost in that worthy goal. This day in history, the meaning which congress gave to armistice day in 1926. To quote, to perpetuate peace through good will and mutual understanding between nations, inviting the people of the united states to observe the day with appropriate ceremonies, a friendly relations with all people. We will now have a video tribute to veterans. [Singing]

[02:39:12]

>> Mayor Leffingwell: Thank you. Today on our agenda we have an item which is to rename in memorial status the name of a street in south austin, southeast austin, that leads to the new veterans clinic which was recently dedicated. The new memorial name of that street will be heroes way, and we have the [inaudible] -- those signs will be posted along that street. This morning also as some of you may recall we recently appointed a veterans commission. Some of those veterans commission members are here today. Would you please join me at the podium here for a proclamation. The veterans commission mission is to address several critical issues first, employment and education of veterans, womens veterans issues and homeless veterans. I will read the proclamation and present it to the chair. Be it known that whereas the city of austin as the capital city of the state of texas and has consistently supported its military veterans both in our workforce and throughout our community, and whereas on veterans day our nation comes together to honor our veterans and commemorate the legacy of the profound service and sacrifice they have provided in pursuit of freedom and democracy; and whereas the selfless service of our veterans is unmatched, they continue to remind us that there are few things more fundamentally american than doing our utmost to make a difference in the lives of others. And whereas I encourage all austinites to show their appreciation for the sacrifices of our military veterans have made in

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defending our freedoms to acknowledge their occur you're courage and show them the honor and support they have claimed. I hereby claim november 11 as veterans day in austin, texas. [Applause] I want to read the list of all the members of the veterans commission. Casandra sidibaka is the chair. Would you raise your hand. Philip gut resolution, john connally, gus garcia, larry lindler, bill McClellan and linda yoder. Some are not here today but I have a proclamation for all of you. Would you like to say a couple of words? >> I would just like to thank everybody for coming out and supporting this and I would encourage you, the commission meets once a month and we have open forum for community members to come out and voice their concerns and their support for the commission so we encourage you to come out. It's listed on the website, as the mayor said, education, homeless and women veterans are our focus for the commission. We encourage you to come out and support us, but also let us know what your concerns are and how we can support the city and what the commission is doing. Thank you. >> Mayor Leffingwell: Thank you. That concludes our ceremony today so please stand for the retiring of

the colors. Retire the colors. >> Prepare to carry the

[02:43:14]

colors. Carry the colors. [Music playing] >> Mayor Leffingwell: Thank you. Please be seated. We'll start our council meeting in about two minutes.

[02:47:39]

>> Mayor Leffingwell: A quorum is present so I'll call the meeting of the austin city council together on november 7, 2013, at 10:20 a.M. Meeting in the council chambers of city hall, 301 west second street, austin, texas. As I think most of you probably know, this will be -- this is planned to be a very short council meeting today. We're only going to take up consent items and essential items. There will be a few essential items. We'll also have an executive session. I'll start with the changes and corrections to today's agenda. Items 9, 17, 34, 35, 36, and 59 are postponed until NOVEMBER 21st, 2013. Item number 48, add as an additional co-sponsor councilmember tovo and the executive item number 63 will be conducted after the other items. All of our time certain items are withdrawn today. The briefing is withdrawn, the general citizens communications are withdrawn. At 2:00 our zoning matters, 4:00 p.M. Our public hearings and live music and proclamation are all withdrawn. This is so that all city employees can focus on the flooding event that occurred last week in southeast and southwest austin. The consent agenda for today is items 1 through 57, plus items 86 and 87. I will read item number 33 which is the appointments to our boards and commissions and waivers and that item will

[02:49:40]

remain on consent at least so far. To the austin-travis county e.M.S. Advisory board, vincent harding is mayor leffingwell's nominee. To the downtown commission, dale glover, representing the parks and recreation department. Parks and recreation board, I should say, is mayor pro tem's nominee. And to the sustainable food policy board, brandon reed is councilmember spelman's nominee. We'll also approve a waiver of the attendance requirement in section 2-1-26 of the city code for the service of james kelsey on the austin airport advisory commission. The waiver includes absences through today's date. The following items are pulled off the consent agenda, item 42, item 43. Item 42 pulled by councilmember morrison. Item 43 is pulled by mayor leffingwell. Item 44 is pulled by councilmember spelman. Item 47 pulled by councilmember morrison. Item 48 pulled by councilmember spelman. And item 51 pulled by mayor leffingwell. The following items are 11, 12, 13, 14, 53, 54 and items 8 and 18 are required to have action today. We have a few speakers who are signed up to speak on the consent agenda. First is kou young kim. You have three minutes.

[02:51:51]

>> Good morning. I greatly appreciate all of you and specially I greatly appreciate austin city police officers. They protected me so far and that's why I'm here. I have number 16 that -- item number 16.

First of all, I oppose this one. The reason the law from presenting city of austin something, that law firm has a problem. That law firm wronged client austin city -- no, austin community college and wronged myself. This is item 18, 28. How they wronged their client. So the austin community college president [indiscernible] now in the supreme court is a defendant and in the court texas legislature for the impeachment process. They wronged, the lawyers, four lawyers, they wronged the lie, this is the government, the four lawyers wronged their client on how many years, eight years, seven years so far, even mayor leffingwell immediately said correct anything mistake right now. [Indiscernible] but this law firm continued wrong things, violations for seven years and their clients have big trouble. I'd like to suggest this contract, the law said -- amicus, please don't use foreign languages especially roman empire language. English is friend of the

[02:53:52]

court, friend of the court, and we have lawyers austin city [indiscernible] and also lee crawford. They are very friendly. They meet me already several times. Very friendly. So I would like this contract to those austin city lawyers. And I suppose the \$120,000 should go to austin city attorneys, not those at law firms I rejected. The reason I here. And also this morning I went to the austin community college president, went to see him. He rejected to see me. The acc police told me you cannot go inside. They treat me as if I were a terrorist. I'm a college professor at acc -- [buzzer sounding] [indiscernible] I'm here -- >> Mayor Leffingwell: Thank you, dr. Kim, your time has expired. Next speaker is david king. >> Thank you, mayor, mayor pro tem and councilmembers. And thank you for that great veterans tribute this morning. It brings back memories of my dad who is a veteran of the korean war and my uncle who died in the korean war and his remains still have not been found so thank you for that tribute. Also thank you for making it a priority to help the flood victims. I hope you will let me request to help the victims. They need clothes, bedding, sheets, towels, cleaning

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materials, trash cans and she's rock at the oak meadows baptist church, that's the collection center, 6905 south ih-35, so please donate and help the victims. I'm here this morning to speak on item 56, which is the item to install parking meters at butler shores park parking lot and to conduct a chapter 26 hearing. The concern that I have with that and the neighborhood association and other stakeholders who use that park and have businesses near that park, they are opposed to this plan to put meters in those park parking lots. It's the businesses have come in and taken over the parking lot and instead of enforcing the parking rules and looking for ways to increase utilization, we're throwing up our hands and say go ahead, we'll charge you a fee. Once you put the meters in there they will be there at least ten years, it might as well be forever. There's no doubt some park users that want to use that park during the monday through friday, 8:00 to 4:00 time frame that the meters will be effective, they will have to pay or they won't be able to find a place to park there. And we're going to do a chapter 26 hearing on this. How much is that going to cost? And this will only generate 15,000, a little over 15,000 per year. How many years will it take to collect enough money to do any good to those parking lots? So I question the fiscal nature of this, of this strategy, and I hope that you will ask for a fiscal note to be done on this

and to look at the data behind this to make sure it's not going to cost the taxpayers money and result in park users not being able to use that and even some families that want to use the ballpark being charged to park

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there. I ask that you seriously consider this and not pass this resolution. Thank you very much. >> Mayor Leffingwell: Thank you, mr. King. I share some of your concerns and we will -- those will be discussed at the public hearing. >> Thank you, mayor. >> Mayor Leffingwell: Carol vidrick. Am I getting closer? >> Halfway there. >> Mayor Leffingwell: Okay. >> Good morning, mr. Mayor, councilmembers. I'm the executive director of Texas Rose which stands for ratepayers organization to save energy, and I'm here today about items number 51 and 52, which concern Austin energy customers who are in need of special payment arrangements. I am very concerned about a lot of things that are going on in here with the city as a result of the floods that we had and those items do need to take priority, but I'm also a little bit frustrated because we have some people with equally serious problems with their utilities that, you know, I can't seem to move ahead with trying to, you know, get the issue out there. We had three people that came here on -- I can't remember the exact day now, on October 31st for the Austin energy council committee meeting who are in serious difficulties with their -- you know, utilities and we did try and have them make contact with each one of your offices while they were here that morning. Now, I just want to say that nothing has changed for any of these people since that time. We have been trying to push an emergency provision. Last week I met with assistant city manager Robert Good.

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We still have not gotten any word back on what can be done as a temporary measure in order to give people some assistance. So I think that items 51 and 52 are extremely important because we've got two types of problems here. We have some immediate problems that need to be addressed, but I also think we have some long-term policies that need to be looked at at Austin Energy for the future. So I'm a little disappointed that 51 has been pulled from the agenda today because I really think some things need to be done to move forward with different policies on payment troubled customers, and that concludes my remarks. >> Mayor Leffingwell: Thank you. So those are all the speakers that I have signed up to speak. I'll entertain a motion to approve the consent agenda. Councilmember Spelman so moves. Mayor pro tem seconds. Is there any discussion? I'll just say very briefly that items 86 and 87 which are on the addendum, item 86 is an ordinance waiving fees for the reconstruction process, permitting fees and so forth so folks won't have that additional burden who were so badly impacted by the flood event of last week. And item 87 is a ratification of a proclamation I made this previous Monday declaring a state of disaster in the city of Austin. That proclamation remains in effect for only seven days until -- unless it's ratified by the council. And so item 87 is a ratification of that proclamation. All in favor of the motion say aye. Aye. Opposed say no. That passes on a vote of 7-0. And I'd just like to confirm with the city clerk that the

[03:02:02]

following items have been passed. Items 11, 12, 13, 14, 53, 84, 8 and 18. 84, yes. >> Mayor Leffingwell: Yes, okay. So then the council will now go into executive session personality to 51.071 of the government code, the council will consult with legal counsel regarding item 63, legal issues related to the austin fire department hiring process. If there's no objection to going into executive session on this item, the council will >> Mayor Leffingwell: We have concluded the closed session on item 64 which concerns legal issues noting that item 61 and 62 were withdrawn. So I will entertain a motion to postpone until november 21st items 42, 43, 44, 47, 48, 51, and 58. Mayor pro tem so moves. Seconded by councilmember martinez. Councilmember morrison. >> Morrison: I wonder if we -- I know we need to finish by noon. I wonder if we might try to get through some of these just

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in half an hour instead of postponing all of them. >> Mayor Leffingwell: I would -- I would like to go ahead and postpone all of them right now. That is my preference. If we start opening this up, there's no determining how long it's going to be. Councilmember spelman. >> Spelman: Item 58 has been not pulled, it's just not a consent item. Perhaps we could take that up. >> Mayor Leffingwell: I've checked on that [inaudible] we can postpone it. So all in favor of the motion say aye. Aye. Opposed say no. Passes on a vote of 7-0. Note that the rest of the agenda has been previously withdrawn. All those items will need to be reposted and we plan to rehear those items on DECEMBER 12th. So I believe that takes care of our agenda for today. Without objection, we stand adjourned at 11:32.